

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America )

v. )

DONALD SACHTLEBEN )

Defendant )

Case No. 1:12-mj-0316

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- M (1) The defendant must not violate federal, state, or local law while on release.
- M (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- NS (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- M (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: \_\_\_\_\_  
Place

on \_\_\_\_\_  
Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:
Person or organization
Address (only if above is an organization)
City and state Tel. No.
who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: Custodian Date

( ) (7) The defendant must:
(X) (a) submit to supervision by and report for supervision to the PRETRIAL SERVICES AGENCY, telephone number, no later than AS THEY INSTRUCT.
(X) (b) continue or actively seek employment.
(X) (c) continue or start an education program.
(X) (d) surrender any passport to:
(X) (e) not obtain a passport or other international travel document.
(X) (f) abide by the following restrictions on personal association, residence, or travel: RESTRICTED TO THE SOUTHERN DISTRICT OF INDIANA UNLESS PRE-APPROVED BY PRETRIAL SERVICES AGENCY
(X) (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: ANY CO-DEFENDANTS OR POTENTIAL CO-DEFENDANTS - IF RELATED DO NOT DISCUSS CASE

( ) (h) get medical or psychiatric treatment:
( ) (i) return to custody each at o'clock after being released at o'clock for employment, schooling, or the following purposes:

( ) (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

(X) (k) not possess a firearm, destructive device, or other weapon.
(X) (l) not use alcohol ( X ) at all ( ) excessively.
(X) (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

(X) (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

( ) (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

(X) (p) participate in one of the following location restriction programs and comply with its requirements as directed.
( ) (i) Curfew. You are restricted to your residence every day ( ) from to , or ( ) as directed by the pretrial services office or supervising officer; or

(X) (ii) Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

( ) (iii) Home Incarceration. You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

(X) (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided. - DEFENDANT IS TO BE PLACED ON GPS WITH DEFENDANT PAYING FOR COST.

(X) (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

(X) (s) DEFT. IS SUBJECT TO RANDOM SEARCHES OF HIS PERSON, RESIDENCE & PROPERTY BY U.S. PROBATION & PRETRIAL SERVICES OFFICERS AND/OR ANY LAW ENFORCEMENT OFFICERS ACCOMPANYING THEM

[Handwritten signature]

MS Special Conditions of Pretrial Release:

A. The defendant shall not possess any pornography, erotica or nude images. Any such material found in the defendant's possession shall be considered contraband and may be confiscated by the probation officer. The defendant should be warned that he may be considered in possession of illegal material that he views at another computer, not his own, such as a computer at a library, at another person's house, or in a place of business.

B. The defendant shall not have any unsupervised contact with any minor child, except any child of his own, unless the contact has been disclosed to and approved by the U.S. Probation Officer. In determining whether to approve such contacts involving members of the defendant's family, the Probation Officer shall determine if the defendant has notified the persons having custody of any such minors about his charges in this case and the fact that he is under pretrial supervision.

C. The defendant shall submit to the search by the probation officer of his person, vehicle, office/business, residence and property, including any computer systems and its peripheral devices with the assistance of other law enforcement as necessary. The defendant shall submit to the seizure of contraband found by the probation officer. The defendant shall warn other occupants the premises may be subject searches.

D. The defendant shall not own or possess any computer during the time he is on pretrial release without express permission of the probation office. The defendant shall consent, at the direction of the probation officer, to having installed on any computer he is given permission to possess any hardware or software systems to monitor his computer use. Monitoring will occur on a random and/or regular basis. The defendant will warn other occupants of the existence of the monitoring software placed on his computer(s).

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**ADVICE OF PENALTIES AND SANCTIONS**

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.


If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- MS (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of the Defendant**

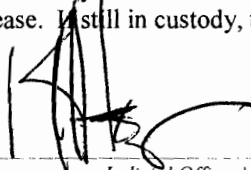
I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

  
 Defendant's Signature  
 Indianapolis, IN  
 City and State

**Directions to the United States Marshal**

- ( X ) The defendant is ORDERED released after processing.
- ( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 5/17/12

  
 Judicial Officer's Signature

Kennard P. Foster, U.S. Magistrate Judge  
 Printed name and title